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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/885,698 06/30/97 GORDON

S 1647/47358

LM02/0720

EXAMINER

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ART UNIT PAPER NUMBER

2731

DATE MAILED:

07/20/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/885,698

Applicant(s)

Gordon

Examiner

Steven Nguyen

Group Art Unit

2731

 Responsive to communication(s) filed on Jun 30, 1997 This action is FINAL. Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

 Claim(s) 1-4 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

 Claim(s) _____ is/are allowed. Claim(s) 1-4 is/are rejected. Claim(s) _____ is/are objected to. Claims _____ are subject to restriction or election requirement.

Application Papers

 See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948. The drawing(s) filed on _____ is/are objected to by the Examiner. The proposed drawing correction, filed on _____ is approved disapproved. The specification is objected to by the Examiner. The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

 Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d). All Some* None of the CERTIFIED copies of the priority documents have been received. received in Application No. (Series Code/Serial Number) _____. received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

 Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

 Notice of References Cited, PTO-892 Information Disclosure Statement(s), PTO-1449, Paper No(s). 2 Interview Summary, PTO-413 Notice of Draftsperson's Patent Drawing Review, PTO-948 Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Objections

1. Claim 2 is objected to because of the following informalities: line 2, the recitation "a telephone" should be changed to "the telephone". Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwami et al (USP 5604737) in view of Krishnaswamy et al (USP 5867494).

Regarding claim 1, Iwami discloses (Fig 1-2, 6 and Col 1, lines 55 to col 5, lines 55) a converter (Ref 21 of Fig 6) electrically interconnected to a telephone interconnection of remote modem and receiving the telephone transmission signals therefrom and providing an audio output signal; an interface machine (Ref 20 of Fig 1 and it well known to one of ordinary skill in the art to modify a LAN interface "Ref 14 of Fig 1" with WAN interface) which includes a first sound processing mechanism (Ref 12 and 15 of Fig 6) for processing audio output signal for transmission over WAN as a network audio signal, receiving the audio output signal from the

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converter; a second sound processing mechanism configured at the local system (Fig 2 and Ref 10-1 of Fig 1) for receiving the network audio signal and processing network audio signal to provide a continuous audio signal at local system (the communication server "Fig 1, ref 20" which includes the telephone line interface and a sound processing mechanism such as sound card to converting the voice information of the telephone to a voice packet for transmission to a communication terminal over the network; the communication server includes a soundcard for processing a voice packet and output to voice output "Fig 2, Ref 16)). However, Iwami fails to disclose fully a public network communication controller including a remote modem configured in remote system and receiving telephone transmission signals. In the same field of endeavor, Krishnaswamy discloses a remote modem configured in remote system and receiving telephone transmission signals and interconnected to telephone line interface (Col 24, line 5-42, disclosing a modem configured to receive a telephone transmission signal).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the communication system of Iwami which allows a telephone and a computer to communicate with each other by applying a remote modem into a communication system as taught by Krishnaswamy. The suggestion/motivation would have been to allow a subscriber or network administration accessing the server from their location.

Regarding claim 2, Iwami fails to disclose fully a remote telephone interconnecting to the telephone interconnection of the remote modem. However, in the same field of endeavor,

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Knishnaswamy discloses a remote telephone interconnecting to the telephone interconnection of the remote modem (Fig 1C, Ref 200 and 270-271).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the communication system of Iwami which allows a telephone and a computer to communicate with each other by applying a remote modem into a communication system as taught by Knishnaswamy. The suggestion/motivation would have been to allow a subscriber or network administration accessing the server from their location.

Regarding claim 3, Iwami discloses the interface machine is a computer and the first sound processing mechanism is a sound card running on the computer and configured to run an audio stream program (Fig 6, Ref 12, 15 for soundcard and Ref 22 of Fig 7 for audio stream program).

Regarding claim 4, Iwami discloses the second sound processing mechanism is a sound card running on a local system and configured to run an audio stream program (Fig 2, Ref 12, 15 and for soundcard and Ref 31 of Fig 3 for audio stream program).

4. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang (PCT WO 97/23078) in view of Focsaneanu et al (USP 5610910).

Regarding claims 1-4, Huang discloses (In Fig 3a-b, 4 and Page 7, lines 21 to page 10, lines 26) an apparatus which allows the remote telephone (Ref 8 of Fig 4) and computer system (Ref 4 of Fig 4) to communicate with each other over WAN (Ref 5 of Fig 4); a converter electrically interconnected to a telephone interconnection of remote modem and receiving the telephone transmission signals therefrom and providing an audio output signal; an interface

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machine which includes a first sound processing mechanism for processing audio output signal for transmission over WAN as a network audio signal, receiving the audio output signal from the converter; (In Fig 3, the remote telephone "ref 1,8" dials a computer system in Fig 4, ref 4; the telephone signal should access the telephone line interface of the LEC "Ref 2,7" and convert "Ref 13 of Fig 3a" to an audio signal; then forwarding it to the Gateway "read on the interface machine" which includes a plurality of ASIC and DSP "Ref 23 and 22" to processing audio signals by using a first sound processing mechanism and transmitting it on the packet switched network "ref 5" by using packet network interface); a second sound processing mechanism configured at the local system for receiving the network audio signal and processing network audio signal to provide a continuous audio signal at local system (Ref 4 of fig 4 is a multimedia computer therefore it is inherently included a second sound processing mechanism to receiving a network audio signal form packet switched network and converting it to an audio stream). However, Huang fails to disclose a remote modem is a hardware which configured to receive a telephone transmission signal. In the same field of endeavor, Focsaneanu et al disclose a remote modem which configured in remote system and receiving telephone transmission signals and interconnected to telephone line interface (See access module of fig 13 discloses a modem and telephone line interface).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the communication system of Haung which allows a telephone and a computer to communicate with each other by applying a remote modem into a communication

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system as taught by Focsaneanu. The suggestion/motivation would have been to allow a subscriber or network administration accessing the server from their location.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jonas (PCT WO 97/14238) discloses a communication system which allows a remote telephone to communicate with a computer which connected to an Internet network, wherein a gateway used to convert a telephone audio signal to network audio packet for transmitting to a computer. A computer and Gateway have each own sound processing mechanism such as sound card.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Nguyen whose telephone number is (703) 308-8848. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham, can be reached on (703) 305-4378.

The fax phone number for this group is (703) 305-3988.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Chi Pham
CHI H. PHAM
SUPERVISORY PATENT EXAMINER
GROUP 2700
7/14/99